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WHITTLESTONE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

WHITTLESTONE, INC., a California
corporation,

Plaintiff and Counter-Defendant,

vs.

HANDI-CRAFT COMPANY, a Missouri
corporation,

Defendant and Counter-Claimant.

Case No. CV 08-04193 SBA

**STIPULATION AND ORDER TO
VACATE TRIAL DATE AND
TRANSFER THE CASE TO
MAGISTRATE JUDGE
JACQUELINE SCOTT CORLEY
FOR TRIAL**

Pursuant to Civil Local Rules 7-1(a)(5) and 7-12 and Federal Rules of Civil Procedure ("FRCivP") 16(b)(4), Plaintiff/Counter-Defendant Whittlestone, Inc. and Defendant/Counter-Claimant Handi-Craft Company, by and through their counsel, hereby stipulate to the following:

WHEREAS the original trial date of September 21, 2012 was vacated by the court on June 28, 2012 and reset for trial on October 21, 2013;

WHEREAS because of date conflicts and medical issues the parties desire to reset the case for trial in late January or February, 2014;

WHEREAS the parties, in accordance with the provisions of Title 28, U.S.C. Section

636(c), hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit;

WHEREFORE the parties, through their respective counsel, hereby stipulate and agree to transfer the case to Magistrate Judge Jacqueline Scott Corley for trial, to be held in late January or February, 2014, or as soon thereafter as her calendar will allow.

IT IS SO STIPULATED.

MORGAN, FRANICH, FREDKIN & MARSH

/s/ Mark B. Fredkin

Dated: October 1, 2013

By: _____

Mark B. Fredkin

Attorneys for Plaintiff/Counter-Defendant
WHITTLESTONE, INC.

BURNHAM BROWN
HERZOG CREBS, LLP

/s/ Michael A. Vitale

Dated: October 1, 2013

By: _____

Michael A. Vitale

Attorneys for Defendant/Counter-Claimant
HANDI-CRAFT COMPANY

ORDER

The Court having considered the stipulation of the parties, and good cause appearing therefor,

IT IS HEREBY ORDERED that the pretrial and trial dates are vacated and the case is transferred to Magistrate Judge Jacqueline Scott Corley to be set for trial in late January or February, 2014, or as soon thereafter as her calendar will allow.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 10/1/2013


HON. SAUNDRA B. ARMSTRONG
UNITED STATES DISTRICT JUDGE